

REMARKS

Applicants have reviewed and considered the Office Action mailed on December 15, 2004, and the references cited therewith.

Claim 11, 20, 23, 26, 28, 29, 54, 59, 64-76, 78, and 93 are currently amended, claims 1-10, 12-19, and 81-88 are cancelled, and new claims 96-120 are added; as a result, claims 11, 20-29, 54-80, and 89-120 are now pending in this application. The new claims 96-99 are dependent claims on claims 11, 28, 29, and 54 respectively, and are supported by original claim 23. Claims 54-58, 62-65, and 78-80 are no longer withdrawn. New claim 100 is supported by claim 19. New claims 101-105 are supported by original claims 54-58 and the Examiners reasons for allowance of claim 54 on the Office Action of December 15, 2004. Dependent claim 106 is supported by Figure 15E, claim 107-108 by Figure 17, claim 109 by Figures 18A-18D, claims 110-114 by original claim 54, claims 115-119 by claims 76-80, claim 120 by claim 66 and claim 121 by claim 59. No new matter is added.

§112 Rejection of the Claims

Claim 78 was rejected under 35 USC§112 as failing to comply with the written-description requirement. Applicants respectfully traverse. Figures 15A-15F disclose and provide written description a battery formed into a shell and attached to the interior or exterior surface of a watch device. the specification recites " Figure 15E shows a more formed device that might be found on a cell phone or similar device. Figure 15E may be formed to fit on the interior surface of a cell phone or the exterior surface of a cell phone or calculator. In other words, a diced sheet 1310 is used as a starting point for vacuum forming or for otherwise forming a battery that can be attached either to the interior or exterior surface of an electronic device. An electronic device to which it is attached can be anything including hearing aides, calculators, personal data assistants, smart cards or other credit card, **watches**, laser pens, power tools, surgical devices or even catheters. The list above is not exhaustive but is merely set forth as examples of the type of the devices that may include a battery shown and formed in Figures 15A through 15E." (emphasis added). Reconsideration and withdrawal of the rejection is respectfully requested.

Claim 78 was rejected as having no function in "thin-film battery means" and lacking written description support. Applicants have amended claim 78 to overcome this rejection. Reconsideration and withdrawal of the rejection is respectfully requested.

§102 Rejection of the Claims

Claims 1-10, 12-27, 59-60, 84-92, and 94-95 were rejected under 35 USC § 102(b) as being anticipated by USPN 5644207 Lew et al. Applicants respectfully traverse. Applicants have decided to take the allowed and allowable claims at this time, and cancel or amend the rejected claims to depend on allowed claims, while reserving the right to reintroduce the cancelled claims and respond more fully to this rejection in a later application. Reconsideration and withdrawal of the rejection, and an early indication of allowance is respectfully requested.

Information Disclosure Statements

Applicants previously submitted an IDS and additional Supplemental Information Disclosure Statements. Applicants are also submitting an additional Supplemental IDS herewith. Applicants respectfully request that initialed copies of the below noted 1449/SB01 Forms be returned to Applicants' Representatives to indicate that the cited references have been considered by the Examiner.

Applicants' Supplemental Information Disclosure Statement and Form 1449 filed on December 15, 2003 seems to be missing. An examiner-initialed Form 1449 copy is respectfully requested with the next communication.

Applicants are also submitting a Supplemental IDS herewith. Applicants respectfully request that examiner-initialed copies of the Form 1449 be returned to Applicants' Representatives to indicate that the cited references have been considered by the Examiner.

Conclusion

Applicants respectfully submit that the claims are in condition for allowance and notification to that effect is earnestly requested. The Examiner is invited to telephone Applicants' attorney ((952) 278-3501) to facilitate prosecution of this application.

If necessary, please charge any additional fees or credit overpayment to Deposit Account No. 502931.

Respectfully submitted,

MARK L. JENSON ET AL.

By their Representatives,

LEMAIRE PATENT LAW FIRM, PLLC
P.O. Box 11358
ST. PAUL, MN 55111
TELEPHONE: (952) 278-3500

Date 15 March 2005

By Charles A. Lemaire
Charles A. Lemaire
Reg. No. 36,198

"Express Mail" mailing label number: EV 584 016 876 US

Date of Deposit: March 15, 2005

This correspondence is being deposited on the date indicated above with the United States Postal Service pursuant to 37 CFR 1.10, and is addressed to: Mail Stop Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450